

07-20-01

EL792822110

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Priority Application Serial No. ....08/568,578  
 Priority Filing Date .....12/07/1995  
 Inventor..... Michael B. Jones et al.  
 Priority Group Art Unit .....2151  
 Priority Examiner ..... S. Lao  
 Attorney's Docket No. ....MS1-204USC1  
 Title: Method and System for Resource Management with Independent Real-Time  
 Applications on a Common Set of Machines

1c903 U.S. PRO  
 09/909072  
 07/18/01

DIVISIONAL PATENT APPLICATION TRANSMITTAL

To: Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

From: Lance R. Sadler (Tel. 509-324-9256; Fax 509-323-8979)  
Customer No. 22801

22801  
 PATENT TRADEMARK OFFICE

The following enumerated items accompany this transmittal letter and are being submitted for the matter identified in the above caption.

1. Transmittal Letter with Certificate of Mailing included.
2. Fee Transmittal
3. Check in the Amount of \$710.00
4. PTO Return Postcard Receipt
5. Request for Divisional Application Under 37 C.F.R. 1.53 (b)
6. True copy of the prior application as filed including the specification (26 pages, claims 1-44, Abstract, 12 sheets informal drawings (Figs. 1-9))
7. Copy of Executed Declaration
8. Preliminary Amendment
9. Copy of Assignment

Large Entity Status [x]

Small Entity Status [ ]

The Commissioner is hereby authorized to charge payment of fees or credit overpayments to Deposit Account No. 12-0769 in connection with any patent application processing fees under 37 CFR 1.17; and any additional filing fees under 37 CFR 1.16 for the presentation of extra claims.

Date: 7/18/01

By:   
Lance R. Sadler  
Reg. No. 34,656

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**CERTIFICATE OF MAILING**

I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as either first class mail, or Express Mail if the blank for Express Mail No. is completed below, in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date. Any Express Mail No. has also been marked on the listed items.

Express Mail No. (if applicable) \_\_\_\_\_

**EL792822110**

Date: \_\_\_\_\_

7/18/2001

By: \_\_\_\_\_

Cheryl K. Boies

Cheryl K. Boies

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT**(\$) **710.00**

<b>Priority</b>	<b>Complete if Known</b>
Application Number	08/568,578
Filing Date	12/07/95
First Named Inventor	Jones
Examiner Name	S. Lao
Group Art Unit	2151
Attorney Docket No.	MSI-204USC1

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

12-0769

Deposit  
Account  
Name

Lee &amp; Hayes, PLLC

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17

- ☐
- Applicant claims small entity status.
- 
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

- ☒
- Check
- ☐
- Credit card
- ☐
- Money
- 
- Order
- ☐
- Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

710

SUBTOTAL (1) (\$) **710.00****2. EXTRA CLAIM FEES**

Total Claims	7	Extra Claims	-20** = 8	X	Fee from below	= 8	Fee Paid	8
Independent Claims	7		-3** = 8	X		= 8		8
Multiple Dependent						=		

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 \*\* Reissue independent claims over original patent

110 18 210 9 \*\* Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) **0**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**Large Small  
Entity Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

105 130 205 65 Surcharge - late filing fee or oath

127 50 227 25 Surcharge - late provisional filing fee or cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for ex parte reexamination

112 920\* 112 920\* Requesting publication of SIR prior to Examiner action

113 1,840\* 113 1,840\* Requesting publication of SIR after Examiner action

115 110 215 55 Extension for reply within first month

116 390 216 195 Extension for reply within second month

117 890 217 445 Extension for reply within third month

118 1,390 218 695 Extension for reply within fourth month

128 1,890 228 945 Extension for reply within fifth month

119 310 219 155 Notice of Appeal

120 310 220 155 Filing a brief in support of an appeal

121 270 221 135 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,240 241 620 Petition to revive - unintentional

142 1,240 242 620 Utility issue fee (or reissue)

143 440 243 220 Design issue fee

144 600 244 300 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Processing fee under 37 CFR 1.17(q)

126 180 126 180 Submission of Information Disclosure Stmt

581 40 581 40 Recording each patent assignment per property (times number of properties)

146 710 246 355 Filing a submission after final rejection (37 CFR § 1.129(a))

149 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))

179 710 279 355 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination of a design application

Other fee (specify)

SUBTOTAL (3) (\$)

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Name (Print/Type)

Lance R. Sadler

Registration No.

38,605

**Complete (if applicable)**

Telephone

509 324-9256

Signature

[Signature]

Date

7/18/01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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 Title: Method and System for Resource Management with Independent Real-Time  
 Applications on a Common Set of Machines

## REQUEST FOR DIVISIONAL APPLICATION

### UNDER 37 C.F.R. 1.53(b)

To: Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

From: Lance R. Sadler (Tel. 509-324-9256; Fax 509-323-8979)  
**Customer No. 22801**

This is a request for filing a Divisional application under 37 CFR §1.53(b) of  
 Application Serial No. 08/568,578 which was filed December 7, 1995 and is entitled  
 "Method and System for Resource Management with Independent Real-Time  
 Applications on a Common Set of Machines." The prior application was submitted  
 in the names of Jones et al. The original declaration showing their addresses is also  
 enclosed.

The prior application was a complete application as set forth in  
 37 CFR §1.51(a). The application papers being filed herewith are a true copy of the  
 prior application as filed including the specification (with claims), drawings, oath or

1 declaration showing the signature(s), and any amendments referred to in the oath or  
2 declaration to complete the prior application. No amendments referred to in the oath  
3 or declaration filed to complete the prior application introduced new matter therein.  
4 No abandonment or termination of proceeding has occurred in the above-identified  
5 prior application.

6  
7 The filing date of pending application Serial No. 08/568,578 is hereby  
8 claimed under 35 U.S.C. §120.

9  
10 A preliminary amendment is enclosed.

11  
12 A check is enclosed to pay fees under 37 CFR §1.16 and §1.17 associated  
13 with this communication.

14  
15 A previous assignment to Microsoft Corporation has been executed by the  
16 inventors in the prior application, and is applicable to the present application. A  
17 copy of the assignment is enclosed herewith.

18  
19 A previous power of attorney in the prior application is given to Lewis C.  
20 Lee, Reg. No. 34,656, Daniel L. Hayes, Reg. No. 34,618, Allan T. Sponseller, Reg.  
21 38,318; Steven R. Sponseller, Reg. No. 39,384; James R. Banowsky, Reg. No.  
22 37,773; Lance R. Sadler, Reg. No. 38,605; Thomas A. Jolly, Reg. No. 39,241; David  
23 A. Morasch, Reg. No. 42,905; Kasey C. Christie, Reg. No. 40,559; Nathan R. Rieth,  
24 Reg. No. 44,302; Brian G. Hart, Reg. No. 44,421; David S. Thompson, Reg. No.  
25 37,954; Paul W. Mitchell, Reg. No. 44,453; Bradley K. DeSandro, Reg. No. 34,521;

1 Brian J. Pangrle, Reg. No. 42,973; Katie E. Sako, Reg. No. 32,628 and Daniel D.  
2 Crouse, Reg. No. 32,022.

3 Please send correspondence to: **Customer No. 22801.**



4 Direct telephone calls to: Lance R. Sadler (509) 324-9256.

5  
6 Respectfully submitted,

7  
8 Dated: 7/18/01

9 By: [Signature]

Lance R. Sadler  
Reg. No. 38,605

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